

## REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed September 20, 2006. Claims 1-55 are rejected.

In this Amendment, claims 1, 12, 19, 26, 32, 40, 46, 52 have been amended to more particularly point out what Applicants regard as the invention. The invention includes displaying a broadcast program on a first portion of a display and displaying an advertising mark for an item associated with a scene of the broadcast program on a second portion of the display allocated to display the advertising mark. It is respectfully submitted that the amendment does not add new matter and is supported in the specification at least on page 17, ¶ 39 and Figures 5 and 9.

### **Claim Rejections under 35 U.S.C. § 102(a)**

Claims 1-4, 6-10, 12, 13, 15-17, 19-22 and 24-55 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Wistendahl, et al. (USPN 6,496,981, hereinafter “Wistendahl”). Applicants respectfully submit that Wistendahl does not disclose each and every element of the invention as claimed in claims 1-4, 6-10, 12, 13, 15-17, 19-22 and 24-55.

Wistendahl discloses converting TV programs, such as home shopping shows, from a conventional video signal format into interactive TV programs. Wistendahl discloses that the available game option buttons (e.g., GO, STOP, PAY RENT, PASS, COLLECT \$200, etc) on the display have a halo around them, such that when a game option button is toggled, the halo around the currently toggled button is highlighted. Thus, Wistendahl only discloses providing a halo around the options on the display available to the viewer and does not teach or suggest that a portion of the display is allocated to display a advertising mark, as claimed. Therefore, with regard to independent claims 1, 12, 19, 26, 32, 40, 46 and 52, Wistendahl does not teach or suggest displaying a broadcast program on a first portion of a display and displaying an advertising mark for an item associated with a scene of the broadcast program on a second portion of the display allocated to display the advertising mark, as claimed.

Accordingly, Applicants respectfully submit that independent claims 1, 12, 19, 26, 32, 40, 46 and 52 and associated dependent claims 2-4, 6-10, 13, 15-17, 20-22, 24 33-39, 41-45, 47-51, and 53-55 are not anticipated by Wistendahl under 35 U.S.C. § 102(a). Therefore, applicants respectfully request the withdrawal of the rejection of the claims 1-4, 6-10, 12, 13, 15-17, 19-22 and 24-55.

**Rejections under 35 U.S.C. § 103(a)**

Claims 5, 11, 18 and 23 stand rejected under 35 U.S.C. § 103(a) as being obvious over Wistendahl in view of U.S Patent No. 5,285,278 by Holman ("Holman"). Wistendahl does not teach or suggest each and every limitation of associated independent claims 1, 12 and 19, and Holman does not supply the missing limitations.

Holman discloses an electronic redeemable coupon generating system. Holman discloses that during the presentation of a television commercial, a viewer pushes a VIEW button to view messages associated with the product which is the subject of the commercial. The messages may include coupon offers. The user may acquire the coupon by pressing the COUPON button. Thus, like Wistendahl, Holman does not teach or suggest displaying a broadcast program on a first portion of a display and displaying an advertising mark for an item associated with a scene of the broadcast program on a second portion of the display allocated to display the advertising mark, as claimed in independent claims 1, 12 and 19.

Accordingly, applicants respectfully submit that Applicant's invention as claimed in claims 5, 11, 18 and 23, which depend from and therefore include each and every limitation of associated independent claims 1, 12 and 19, is not rendered obvious by the Wistendahl and Holman combination. Therefore, applicants request the withdrawal of the rejection under 35 U.S.C. § 103(a).

### **SUMMARY**

Claims 1-55 are currently pending. In view of the foregoing amendments and remarks, applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

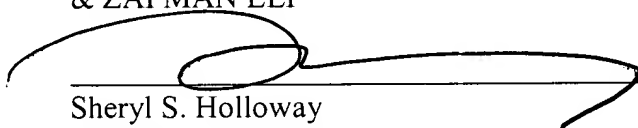
### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then applicants hereby request such an extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
& ZAFMAN LLP

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